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BOARD OF VETERINARY
MEDICAL EXAMINERS

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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF VETERINARY MEDICAL EXAMINERS
DOCKET NO. 94-38

Administrative Action

CONSENT ORDER

This matter was opened to the Board of Veterinary Medical Examiners on or about April 7, 1994, upon the receipt of a complaint alleging that Thomas G. Richardson, D.V.M., had negligently performed surgery to spay a cat, Jasmine, on November 1, 1990. The owner alleged that in the months following the surgery Jasmine had continued to demonstrate signs of being in

heat; that Dr. Richardson told her that exploratory surgery would cost approximately \$200.00; that he treated the cat for cystitis on several occasions for approximately one year; and that ultimately the owner paid another veterinarian approximately \$1000.00 to perform exploratory surgery and to remove ovarian remnants.

On August 12, 1994, Dr. Richardson appeared before the Board for an investigative inquiry, represented by Philip M. Miller, Esq., and testified under oath that he and Jasmine's owners had had an agreement to exchange services; that the surgery on Jasmine had been uneventful; that upon her return to his office following continued signs of estrus he had established two possible diagnoses, ie: aberrant ovarian tissue and cystitis; that he had chosen first to attempt to treat and cure the cystitis; that the cystitis had recurred several times during 1992 and had been treated each time; that Jasmine had been scheduled for surgery in April 1992 but the owners did not agree; and that he did not hear from the owners from June 1992 until March 1994, when the complaint was lodged.

After reviewing the complaint, Dr. Richardson's testimony and all medical records for Jasmine, the Board found that Dr. Richardson had negligently failed to completely remove all ovarian tissue during the spay procedure; that he had seen, tested and/or treated Jasmine approximately ten times following her surgery; and that he had failed to re-operate in a timely manner.

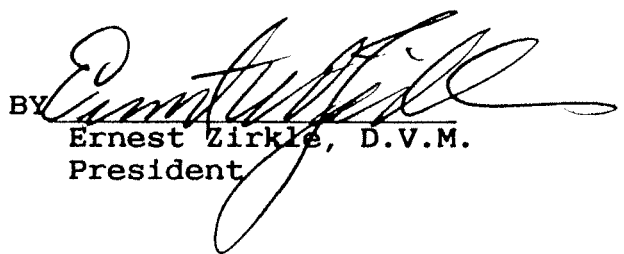
Dr. Richardson being desirous of settling this matter without the need for further proceedings, and the Board being satisfied that this Order is adequately protective of the public health and welfare,

IT IS on this 9th day of November, 1994,

ORDERED that Thomas G. Richardson, D.V.M., shall reimburse the owners of Jasmine for all costs of subsequent surgery, including such tests as were performed pursuant thereto, and shall pay to the Board a penalty in the amount of \$500.00.

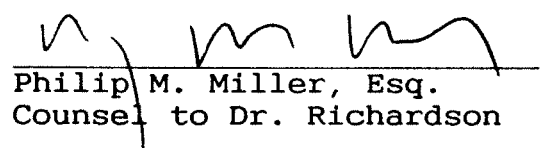
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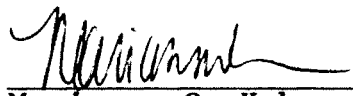

Ernest Zirkle, D.V.M.
President

I have read and understood
the within Order and agree
to be bound by the terms
therein. Consent is hereby
given for its entry.


Thomas G. Richardson, D.V.M.


Philip M. Miller, Esq.
Counsel to Dr. Richardson

I CERTIFY THAT THIS IS A
TRUE AND CORRECT COPY.


Marianne C. Kehoe
Executive Director